



4. Defendant Comcast, Inc., is a corporation formed in Delaware and doing business in Tennessee. It can be served via its registered agent C T CORPORATION SYSTEM at 800 South Gay Street, STE 2021, KNOXVILLE, TN 37929-9710. Comcast is subject to the jurisdiction of this court.

### **Statement of Facts**

5. Jessica Brown is a 35-year-old female.
6. Jessica Brown was born Jason Lee Bowen. Jessica is transgendered.
7. Jessica Brown began transitioning many years ago and has considered herself a female for five years. She has had several surgeries across her body to give her a full appearance of being female including her genitalia. She legally changed her name and her driver's license and Social Security card that reflects her female identity.
8. Jessica Brown used to work at Comcast in Chattanooga.
9. Jessica Brown's transgendered status was apparent and open to the staff there.
10. Predictably, Jessica endured comments and some mild harassment because of her sexual identity.
11. Jessica Brown dated a coworker at Comcast name Jason. Jason and Jessica had an argument which occurred over e-mail among other ways.

12. Jason used Jessica's work e-mail to communicate with her. Jason harassed Jessica and Jessica reported this to her manager.

13. Comcast management suspended both of them while they investigated the matter. At the time Jessica was married to another man but they were separated. Jason was fired from Comcast because of the incident.

14. While all this was going on, Jessica then was assigned to work Monday through Friday 8 AM to 5 PM.

15. She made \$12 an hour in addition to benefits which the health insurance which covered her gender reassignment surgery.

16. Jessica Brown's surgery was March 10, 2015.

17. On that day, Comcast reassigned shifts to everyone. Employees would place a bid on the shifts that they wanted.

18. Jessica offered to call in to bid for her shift, however she was not allowed to.

19. Her shift change to Tuesday through Sunday 9 AM to 6 PM.

20. Jessica was off on medical leave from March 10 until May. Once she returned she was terminated for improper use of email.

## **Causes of Action**

### **Count One: Gender Discrimination**

21. The facts of the previous paragraphs are incorporated herein and re-alleged.

22. Jessica Brown is a woman.

23. Comcast management was aware of Jessica's protected status as a woman.

24. Comcast suspended Jessica and ultimately fired her because of her protected status as a woman or, alternatively, because of her non-conforming sexuality.

25. Jessica suffered damages as a result of Comcast's discrimination including lost wages, benefits as well as pain and suffering.

### **Count Two: Retaliation**

26. Jessica Brown reported harassment by her co-worker to Comcast management.

27. Jessica Brown's report to management was protected activity under Title VII of the Civil Rights Act.

28. Comcast management suspended Jessica Brown immediately after she reported the harassment.

29. Because the suspension was close in time to the reporting of activity, the suspension can be considering per se caused by the report of the activity.

30. Jessica suffered damages as a result of Comcast's retaliation including lost wages, benefits as well as pain and suffering.

**WHEREFORE**, the plaintiff demands a jury to try the issues within the complaint. The plaintiff seeks damages for lost wages, emotional distress, attorney's fees, expenses, and any other damages allowable under the laws governing the claims asserted in the plaintiff's complaint.

**JAMES, JAMES & JOYNER**

*/s/ Stuart F. James*

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